

**CAP MEETNG – 14 AUGUST 2024**  
**ITEM 8.1**

<b>DEVELOPMENT NO.:</b>	24011040
<b>APPLICANT:</b>	Rebeka Probert Ryan Probert
<b>ADDRESS:</b>	44 ORANA DR MYLOR SA 5153
<b>NATURE OF DEVELOPMENT:</b>	Ancillary accommodation
<b>ZONING INFORMATION:</b>	<b>Zones:</b> <ul style="list-style-type: none"><li>• Productive Rural Landscape</li></ul> <b>Overlays:</b> <ul style="list-style-type: none"><li>• Environment and Food Production Area</li><li>• Hazards (Bushfire - High Risk)</li><li>• Hazards (Flooding - Evidence Required)</li><li>• Limited Land Division</li><li>• Mount Lofty Ranges Water Supply Catchment (Area 2)</li><li>• Native Vegetation</li><li>• Prescribed Water Resources Area</li><li>• Scenic Quality</li><li>• Water Resources</li></ul>
<b>LODGEMENT DATE:</b>	14 May 2024
<b>RELEVANT AUTHORITY:</b>	Assessment Panel at Adelaide Hills Council
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	P&D Code (in effect) Version 2024.8 09/05/2024
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	No
<b>RECOMMENDING OFFICER:</b>	Doug Samardzija Senior Statutory Planner
<b>REFERRALS STATUTORY:</b>	South Australian Country Fire Service
<b>REFERRALS NON-STATUTORY:</b>	Environmental Health Unit

**CONTENTS:**

<b>ATTACHMENT 1:</b>	<b>Application Documents</b>	<b>ATTACHMENT 4:</b>	<b>Prescribed Body Responses</b>
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<b>ATTACHMENT 3:</b>	<b>Zoning Map</b>		

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**DETAILED DESCRIPTION OF PROPOSAL:**

The application proposes the construction of a 6.80m x 9.60m single storey ancillary accommodation to be located forward of the building line of the dwelling and in the same location as the former dwelling on site. The former dwelling was converted to an outbuilding as part of the more recent dwelling application. The internal layout of the proposal includes a single living room and bedroom with an adjoining bathroom and associated toilet.

The proposed ancillary accommodation has a total area of 65.28m<sup>2</sup> including an attached 9.60m x 2.00m verandah. The proposal includes a ceiling height of 2.71m as measured from the finished floor level as well as a maximum roof height of 3.62m as measured from the natural ground level.

The proposal is to be set back 29.00m from the southern (front) boundary, and 77.00m from the eastern (side) boundary as well as approximately 112.26m and 204.24m from the western (side) and northern (rear) boundaries respectively with a north-northeastern orientation, facing the rear of the allotment.

The walls of the proposal are to be finished using Weathertex Weathergroove in Natural with windows, doors and downpipes to be finished using Colorbond Monument. The roof is to be clad in Colorbond corrugated iron in the colour Monument.

**BACKGROUND:**

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
22 September 2020	20/783/473	Domestic outbuilding & associated earthworks
25 June 2021	21008223	Horse keeping (increase to a maximum of 4 horses), agricultural building and water tank (22,500L)
19 August 2022	21/60/473 21016181 (Transitional Application)	Single Storey detached dwelling, two water tanks x (22,500L) & associated earthworks & change of use of existing dwelling to domestic outbuilding
29 March 2022	22010380	Swimming pool and safety fence
On Hold	23016803	Tourist Accommodation

**SUBJECT LAND & LOCALITY:**

**Location reference:** 44 ORANA DR MYLOR SA 5153

**Title ref.:** CT 6244/58

**Plan Parcel:** H105500 SE882

**Council:** ADELAIDE HILLS COUNCIL

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**Site Description:**

The subject land is a regular shaped allotment covering approximately 4.83 ha with a single frontage to Orana Drive which is an unsealed road with the width of the allotment being 198.00m the depth being 242.00m.

Commented [DA1]: Review wording - is this the side boundary or the rear boundary you are referring to

The allotment is predominately cleared of vegetation, with a mix of exotic and native species clustered towards the front boundary and along the northern and western boundaries. The subject land features a slope with an approximate gradient of 1:6.72, ascending from north to south.

The land contains an existing dwelling, four outbuildings and a horse arena. The dwelling and two of the outbuildings are clustered towards the front of the allotment, with the remaining outbuilding located adjacent the horse arena, approximately 128.61m from the front boundary.

**Locality**

The locality consists predominantly of rural living allotments located in the Productive Rural Landscape Zone. These allotments range in shape and size from approximately 6.87 ha to 0.40 ha, with the subject land being one of the largest allotments in the locality.

The locality does not include any state or local heritage places.

The subject land is identified on **Attachment 2 –Subject Land**. The zoning is showing on the map **Attachment 3 – Zoning Map**.

**CONSENT TYPE REQUIRED:**

Planning Consent

**CATEGORY OF DEVELOPMENT:**

- **PER ELEMENT:**  
New housing  
Ancillary accommodation: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**  
Code Assessed - Performance Assessed
- **REASON**  
P&D Code - All elements are to be treated as Performance Assessed development

**PUBLIC NOTIFICATION**

- No
- **REASON**  
Excluded from Public Notification in accordance with *Table 5 – Procedural Matters* of the Productive Rural Landscape Zone.

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**AGENCY REFERRALS**

- **South Australian Country Fire Service**

The CFS have advised that they have no objections and have recommended a list of standard conditions pertaining to access, water supply and vegetation management (refer to recommended conditions 4 to 7). The site has also been given a bushfire attack level (BAL) rating of 19 for building rules consent purposes. Refer to **Attachment 4- Prescribed Body Responses**.

**INTERNAL REFERRALS**

- **Environmental Health Unit** – Wastewater application 473/W141/24 was approved by Council’s Health Department for connection of the ancillary accommodation into the same waste system as the dwelling to ensure compliance with the ancillary accommodation definition.

**PLANNING ASSESSMENT**

**Desired outcomes**

*Desired outcomes are policies designed to aid the interpretation of performance outcomes by setting a general policy agenda for a zone, subzone, overlay or general development policies module. Where a relevant authority is uncertain as to whether or how a performance outcome applies to a development, the desired outcome(s) may inform its consideration of the relevance and application of a performance outcome, or assist in assessing the merits of the development against the applicable performance outcomes collectively.*

**Performance outcomes**

*Performance outcomes are policies designed to facilitate assessment according to specified factors, including land use, site dimensions and land division, built form, character and hazard risk minimisation.*

**Designated performance features**

*In order to assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a designated performance feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies.*

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in **Attachment 5 – Relevant P&D Code Policies**.

**Productive Rural Landscape Zone**

<b>Desired Outcomes</b>	
DO 1	A diverse range of land uses at an appropriate scale and intensity that capitalise on the region's proximity to the metropolitan area and the tourist and lifestyle opportunities this presents while also conserving the natural and rural character, identity, biodiversity and sensitive environmental areas and scenic qualities of the landscape.
DO 2	A zone that promotes agriculture, horticulture, value adding opportunities, farm gate businesses, the sale and consumption of agricultural based products, tourist development and accommodation that expands the economic base and promotes its regional identity.
DO 3	Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts

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The Productive Rural Landscape Zone doesn't provide any specific guidance on ancillary accommodation. With that being said, given that residential use is envisaged in the zone and the proposed ancillary accommodation is associated with existing residential use, the proposal is not considered to be contrary to the intent of the zone. The Desired Outcomes of the Productive Rural Landscape Zone seek to support a range of land uses which benefit from the region's proximity to metropolitan Adelaide as well as promote and enhance the productive opportunities present in the region.

In the recent Supreme Court case *Geber Super Pty Ltd v The Barossa Assessment Panel [2023] SASC 154* the judgment concluded that Desired Outcomes assist in the interpretation of Performance Outcomes; but they are not policies in their own right. Rather, they set a general policy agenda which informs the Performance Outcomes. Given that the zone lacks any significant Performance Outcomes relevant to the proposed development it is the view of planning staff that the zone in this instance has little work to do apart from outlining that the ancillary accommodation is associated with an existing and envisaged land use.

Additionally, the intensification of the residential land use on this allotment is not expected to detract from the existing horse keeping that is undertaken nor would it reduce future capacity for primary production to take place on this allotment. The building is proposed to be clustered amongst other building on land used for residential purposes and it is not reasonably expected that this portion of land could be used for primary production without the clearance of existing buildings on the site.

### Overlays

The Planning and Design Code does not draw upon any assessment provisions for ancillary accommodation from the following Overlays: *Environment and Food Production Area* and *Limited Land Division*. As such, they are not included among the Overlays below.

### Hazards (Bushfire - High Risk) Overlay

Desired Outcomes	
DO 1	Development, including land division is sited and designed to minimise the threat and impact of bushfires on life and property with regard to the following risks:  (a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change (b) high levels and exposure to ember attack (c) impact from burning debris (d) radiant heat (e) likelihood and direct exposure to flames from a fire front.
DO 2	Activities that increase the number of people living and working in the area or where evacuation would be difficult is sited away from areas of unacceptable bushfire risk.
DO 3	To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 1.1 & DPF 1.1, PO 2.1 & DPF 2.1, PO 3.1 & DPF 3.1, PO 3.2 & DPF 3.2, PO 4.1 & DPF 4.1, PO 4.2 & DPF 4.2, PO 4.3 & DPF 4.3, PO 6.1 & DPF 6.1, PO 6.2 & DPF 6.2, PO 6.3 & DPF 6.3	

In accordance with the Procedural Matters of the Hazards (Bushfire - High Risk) Overlay, a referral to the South Australian Country Fire Service (SA CFS) was required.

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The SA CFS has assessed this application and have no objections to the proposed ancillary accommodation. Conditions 4-7 have been directed as part of this referral and include an advisory note outlining the BAL rating of the development.

The proposed ancillary accommodation is to be supported by a designated 10,000L water storage tank for fire-fighting purposes in accordance with the provisions of the Ministerial Building Standards 008.

Vegetation surrounding the building will be managed so that an Asset Protection Zone is established where no more than 30% of site is covered in vegetation.

The SA CFS have directed a condition which requires a clear and unobstructed pathway be constructed of no more than 60m in length to allow for access to the building in the event of a bushfire (refer **Condition 4**).

#### Hazards (Flooding – Evidence Required) Overlay

Desired Outcomes	
DO1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 1.1 & DPF 1.1	

There is currently no flood mapping available for the subject land or the surrounding locality. Additionally, the slope of the allotment is expected to minimise the risk of pooling of flood waters around the ancillary accommodation, instead allowing for the flow of water to the north-eastern corner of the allotment.

#### Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay

Desired Outcomes	
DO1	Safeguard Greater Adelaide's public water supply by ensuring development has a neutral or beneficial effect on the quality of water harvested from secondary reservoirs or diversion weir catchments from the Mount Lofty Ranges.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 1.1 & DPF 1.1, PO 2.1 and DPF 2.1, PO 2.4 & DPF 2.4, PO 2.5 & DPF 2.5, PO 3.1 & DPF 3.1, PO 3.2 & DPF 3.2, PO 3.3 & DPF 3.3, PO 3.4 & DPF 3.4, PO 3.9 & DPF 3.9, PO 4.1 & DPF 4.1	

As a connection to either mains sewer or community waste management scheme is not available at this site, the proposal is to be connected to an existing on-site waste management and drainage field located on site. One of the conditions of the proposal satisfying the definition of ancillary accommodation is that it be connected to all of the same services of the dwelling, including the on-site waste system and this is reinforced by condition 2 of the recommendation. The proposed connection will comply with the requirements of the *South Australian Public Health Act 2011* and has been granted approval by the Adelaide Hills Council's Environmental Health Unit. Waste management through this system is expected to have a neutral impact on the quality of water draining from the site in accordance with PO 1.1.

Stormwater captured by this development is to be directed to existing rainwater tanks as to minimise impacts to the natural drainage of stormwater from this allotment.

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**Native Vegetation Overlay**

<b>Desired Outcomes</b>	
DO1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.
<b>Performance Outcomes (PO) &amp; Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria</b>	
PO 1.1 & DPF 1.1, PO 1.2 & DPF 1.2, PO 1.4 & DPF 1.4	

The proposed ancillary accommodation is not located in proximity to any native vegetation and the applicant has accompanied the application with a relevant declaration stating that the proposed development will not or would not, involve the clearance of Native Vegetation under the Native Vegetation Act 1991, therefore the proposal is considered to satisfy the provisions of the Native Vegetation Overlay.

**Scenic Quality Overlay**

<b>Desired Outcomes</b>	
DO1	Development complements natural and rural character, and areas of scenic value.
<b>Performance Outcomes (PO) &amp; Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria</b>	
PO 1.1 & DPF 1.1, PO 2.1 & DPF 2.1, PO 3.1 & DPF 3.1, PO 4.1 & DPF 4.1	

The proposed ancillary accommodation has been sited and designed to minimise impacts on the scenic value of the allotment and existing natural and rural character. The structure is considered to be low in scale with a maximum roof height of 3.62m and will be finished in dark non-reflective colours. Additionally, it is not reasonably expected that the ancillary accommodation will be visible from the primary street. It will replace an existing outbuilding on the allotment, maintaining the existing visible building mass and cluster of buildings on the allotment. Therefore, the proposal is considered to satisfy the provisions of the Scenic Quality Overlay.

**Water Resources Overlay**

<b>Desired Outcomes</b>	
DO1	Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.
DO2	Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.
<b>Performance Outcomes (PO) &amp; Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria</b>	
PO 1.1 & DPF 1.1, PO 1.2 and DPF 1.2, PO 1.5 & DPF 1.5, PO 1.6 & DPF 1.6, PO 1.7 & DPF 1.7, PO 1.8 & DPF 1.8	

The subject land of the proposed ancillary accommodation adjoins two allotments with existing dams, however, these bodies of water are located approximately 137.10m and 71.18m from the site of the proposed structure. Given this distance, it is not expected that the construction or long-term use of this building will modify the existing natural state of these resources. Therefore, the proposal is considered to satisfy the provisions of the Water Resources Overlay.

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**General Development Policies**

**Clearance from Overhead Powerlines**

<b>Desired Outcomes</b>	
DO1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.
<b>Performance Outcomes (PO) &amp; Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria</b>	
PO 1.1 & DPF 1.1	

The application has been accompanied by a relevant declaration stating the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. Therefore, the proposal is considered to satisfy the Clearance from Overhead Powerlines provisions.

**Design**

<b>Desired Outcomes</b>	
DO1	Development is: <ul style="list-style-type: none"><li>(1) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area</li><li>(2) durable - fit for purpose, adaptable and long lasting</li><li>(3) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors</li><li>(4) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.</li></ul>
<b>Performance Outcomes (PO) &amp; Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria</b>	
PO 8.1 & DPF 8.1, PO 13.1 & DPF 13.1, PO 13.2 & DPF 13.2	

All the earthworks undertaken to facilitate development are considered to be incidental and minor in nature given that the structure is proposed on same pad as the current outbuilding, satisfying PO 8.1.

It is noted that the proposed ancillary accommodation would exceed the quantitative provisions of DPF 13.1 with a setback from the primary street forward of the building line of the dwelling and total area of 65.28m<sup>2</sup> however, this is not expected to detract from the streetscape or appearance of buildings on the allotment. It is considered that the proposed ancillary accommodation has been sited to maintain the existing visual mass of buildings on the site through the demolition of an existing outbuilding which it will replace. Additionally, it is considered that the visual appearance of the building has been designed to be minimised when viewed from the primary street, including a low maximum roof height of 3.62m and low light-reflective colour scheme as well as a front boundary setback of 29.00m. Given this, the building is not expected to be visually prominent when viewed from the primary street or surrounding allotments nor would it obscure the appearance of buildings on this site. Therefore, the proposal is considered to satisfy PO 13.1 and the Design General Development Policies.

DPF 13.1 also has a specific requirement in relation to ancillary accommodation in Productive Rural Landscape Zone and setbacks from existing dwelling. The policies envisage that ancillary accommodation be located with 20m of a dwelling.



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Whilst the proposed development fails to satisfy this requirement given it has been proposed 29m from the dwelling, the 9m departure is considered to be minimal especially given that the structure is proposed in the same location as the previous outbuilding and will therefore utilise the existing bench area and reduce the need for earthworks. From a streetscape perspective it will also be an improvement given that the existing structure will be reduced and replacement with a modern building of a small profile.

#### Infrastructure and Renewable Energy Facilities

Desired Outcomes	
DO1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 12.2 & DPF 12.2	

The proposed ancillary accommodation is to be connected to an existing on-site waste management system located on site. The proposed connection will comply with the requirements of the *South Australian Public Health Act 2011* and has been granted approval by the Adelaide Hills Council's Environmental Health Unit.

#### Transport, Access and Parking

Desired Outcomes	
DO1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 10.1 & DPF 10.1	

Access to the proposed ancillary accommodation will be achieved through an existing crossover on Orana Drive and an on-site vehicle turn around will allow for entry and exit to the site in a forward direction.

Two designated off-street vehicle parks have been made available to support the accommodation.

Therefore, it is considered that the proposal satisfies the intent of the Transport, Access and Parking General Development Policies.

#### CONSIDERATION OF SERIOUSLY AT VARIANCE

The proposal is not considered to be seriously at variance with the provisions of the P & D Code. Whilst the Productive Rural Landscape Zone is silent in relation to ancillary accommodation and doesn't specifically list it as an envisaged use, it also doesn't have specific policies which restrict this type of development. In fact, DPF 13.1 part (L) in the Design section of the Code has a specific provision in relation to location of ancillary accommodation relative to a dwelling on sites in a Productive Rural Landscape Zone, which would indirectly indicate that such use is envisaged. In the Design section of the Code policies relating to ancillary residential buildings envisage buildings that sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties. The proposal being ancillary accommodation with a total area of 65.28m<sup>2</sup>, 2.71m ceiling height and a maximum overall height of 3.62m and a generous setback from all property boundaries, satisfies the building profile and setback requirements.

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The proposal also satisfies all of the policies within the applicable Overlays and in particular the ones relating to Hazards (Bushfire-High Risk) Overlay and Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay.

### **CONCLUSION**

The proposal is for ancillary accommodation on a rural residential allotment in the Productive Rural Landscape Zone at 44 Orana Drive, Mylor.

Ancillary accommodation is considered to be appropriate for the zone where sited and designed to complement the existing dwelling and maintain the existing character and amenity of the locality.

The built form includes complementary design features which integrate the proposal into the existing landscape maintain the existing cluster of buildings on the site. This includes substantial setbacks from surrounding allotments and the primary as to mitigate amenity loss adjoining sensitive receivers and road users.

The scale of the proposed ancillary accommodation is not expected to introduce undue traffic or congestion to surrounding roads nor is it expected to change the existing nature of the rural residential allotment.

Wastewater generated by the proposed ancillary accommodation is to be directed to the existing on-site waste management system.

This proposal is not considered to be seriously at variance with the of the provisions of the Planning and Design Code and is considered to comply with the intent of these provisions.

### **RECOMMENDATION**

It is recommended that the Council Assessment Panel resolve that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 24011040 by Rebeka Probert and Ryan Probert for ancillary accommodation at 44 Orana Drive, Mylor is GRANTED Planning Consent subject to the following conditions:

### **CONDITIONS**

#### **Planning Consent**

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) The ancillary accommodation must be connected to the same on-site wastewater system as the dwelling.
- 3) Only one electricity meter and one water meter may be installed on the land to service both the dwelling and ancillary accommodation.
- 4) All roof runoff generated by the development hereby approved shall be directed to the rainwater tank with the overflow managed on-site to the satisfaction of Council within one month of the roof cladding being installed. Stormwater overflow management shall be designed so as to not permit trespass into the effluent disposal area.

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Conditions imposed by South Australian Country Fire Service under Section 122 of the Act

**5) SITING (ANCILLARY STRUCTURES)**

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 3.2) details the mandatory requirements for extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) in the event of bushfire.

- Outbuildings and other ancillary structures shall be sited no closer than 6m from the habitable building, unless built to relevant building standards for associated structures in Bushfire Prone Areas. This includes future structures which may or may not require planning and/or building consent including (but not limited to) garden sheds, animal shelters and cubby houses.

**6) ACCESS TO HABITABLE BUILDING**

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 6.2) details the mandatory requirements for 'Private' roads and driveways to facilitate safe and effective use, operation and evacuation for firefighting and emergency personnel and evacuation of residents, occupants and visitors where required. These requirements apply when the furthest point of the building is more than 60m from the nearest public road.

- A clear and unobstructed vehicle or pedestrian pathway shall be provided; no greater than 60 metres in length between the most distant part of the habitable building and the nearest part of the formed public access way.

**7) WATER SUPPLY & ACCESS (to dedicated water supply)**

Ministerial Building Standard MBS008 "Designated bushfire prone areas - additional requirements" 2020, as published under the Planning, Development and Infrastructure Act 2016, provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with MBS008.

*Please note that where the water supply is an above-ground water tank, the tank (including any support structure) should be constructed of non-combustible material, such as concrete or metal.*

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 4.3) details the mandatory requirements for the site to provide a dedicated hardstand area in a location that allows fire fighting vehicles to safely access the dedicated water supply.

*Where a water storage facility is required to have a fire authority fitting, the following will apply:*

SA CFS has no objection to the proposed location for the dedicated water supply as detailed on drawing named SITE PLAN dated at last revision 21/03/2024, providing the outlet is positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and is no greater than 60m path of travel to the furthestmost point of the building, to enable fire services to reach all parts of the building with no more than two lengths of hose from the hardstand area.

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- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering “FIRE WATER”).
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance’s inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the above ground tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- The minimum water supply required may be combined with domestic use, providing the outlet for domestic use is located above the dedicated fire water supply (in order for it to remain as a dedicated supply).
- Where access to the habitable building is not required due to proximity to the public road, but the hardstand adjacent the outlet is located within the boundary of the allotment, the access to the outlet shall:
  1. be connected to a formed, all-weather public road; and
  2. have a gradient of not more than 16 degrees (1-in-3.5) at any point; and
  3. provide overhead clearance of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including building and/or structures; and
  4. the transition area between the road and the driveway shall have a gradient of not more than 7 degrees (1-in-8).

### 8) MAINTAIN AN ASSET PROTECTION ZONE (APZ) - VEGETATION MANAGEMENT

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 4.2) details the mandatory requirements to establish and maintain an asset protection zone. As such, landscaping shall include bushfire protection features that will prevent or inhibit the spread of bushfires and minimise the risk to life and/or damage to buildings and property and maintain a fuel reduced zone for safe movement of occupants and fire fighters.

SA CFS has no objection to the location and extent of the asset protection zone as detailed on drawing named SITE PLAN dated at last revision 21/03/2024, providing it complies with the following conditions:

- Vegetation management shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:
  1. The number of trees and understorey plants existing and to be established within the APZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
  2. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
  3. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
  4. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.

## CAP MEETNG – 14 AUGUST 2024

### ITEM 8.1

5. Shrubs must not be planted under trees or must be separated by at least 1.5 times their mature height from the trees' lowest branches.
6. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
7. No understorey vegetation shall be established within 2 metres of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
8. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves.
9. The APZ shall be maintained to be free of accumulated dead vegetation.

### ADVISORY NOTES

#### Planning Consent

- 1) You as an Applicant may have a right of appeal if this notification is:
  - a refusal
  - conditions of consent

Such an appeal must be lodged within two months of the date of this decision or such longer time as the Environment, Resources and Development Court allows.

For assistance with the lodgement of an appeal and its associated costs it is suggested you contact the Court which is located in the Sir Samuel Way Building, Victoria Square, Adelaide, or phone the Court on (08) 8204 2444.

- 2) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 3) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 4) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 5) This consent is strictly limited to works on the subject land. This consent does not permit any alteration to road verge. Works including tree pruning/removal, earthworks, kerbing, storage of material or any alteration to the verge or a reserve requires a separate approval under Section 221 of the *Local Government Act 1999*. For more information regarding this process please visit: <https://www.ahc.sa.gov.au/development/roads-and-construction/authorisation-to-alter-a-public-road>

**CAP MEETING – 14 AUGUST 2024  
ITEM 8.1**

**Advisory Notes imposed by South Australian Country Fire Service under Section 122 of the Act**

**6) BUILDING CONSIDERATIONS**

**Ministerial Building Standard MBS008 “Designated bushfire prone areas - additional requirements” 2020, as published under the Planning, Development and Infrastructure Act 2016 applies to this site.**

**Please refer to the National Construction Code (NCC), relevant standards and state provisions for construction requirements and performance provisions.**

**A site Bushfire Attack Level (BAL) assessment was conducted in accordance with the NCC and Australian Standard™3959 (AS3959) “Construction of Buildings in Bushfire Prone Areas”.**

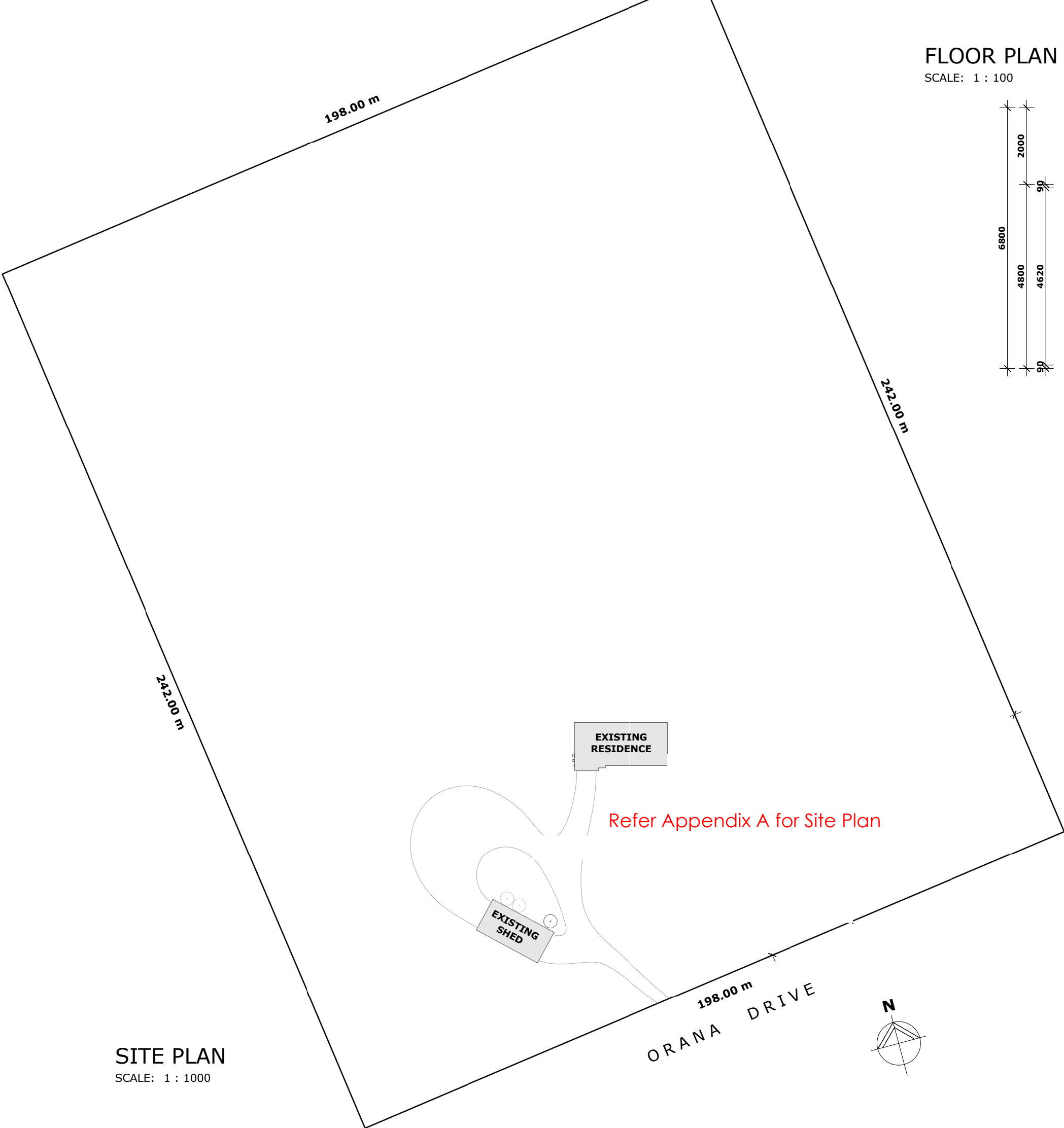
**Category of Bushfire Attack Level: BAL 19**

**This BAL rating is conditional upon the establishment and maintenance of a 20 metre Asset Protection Zone, in accordance with the Asset Protection Zone – Vegetation Management condition of consent placed on the planning consent with the same application reference.**

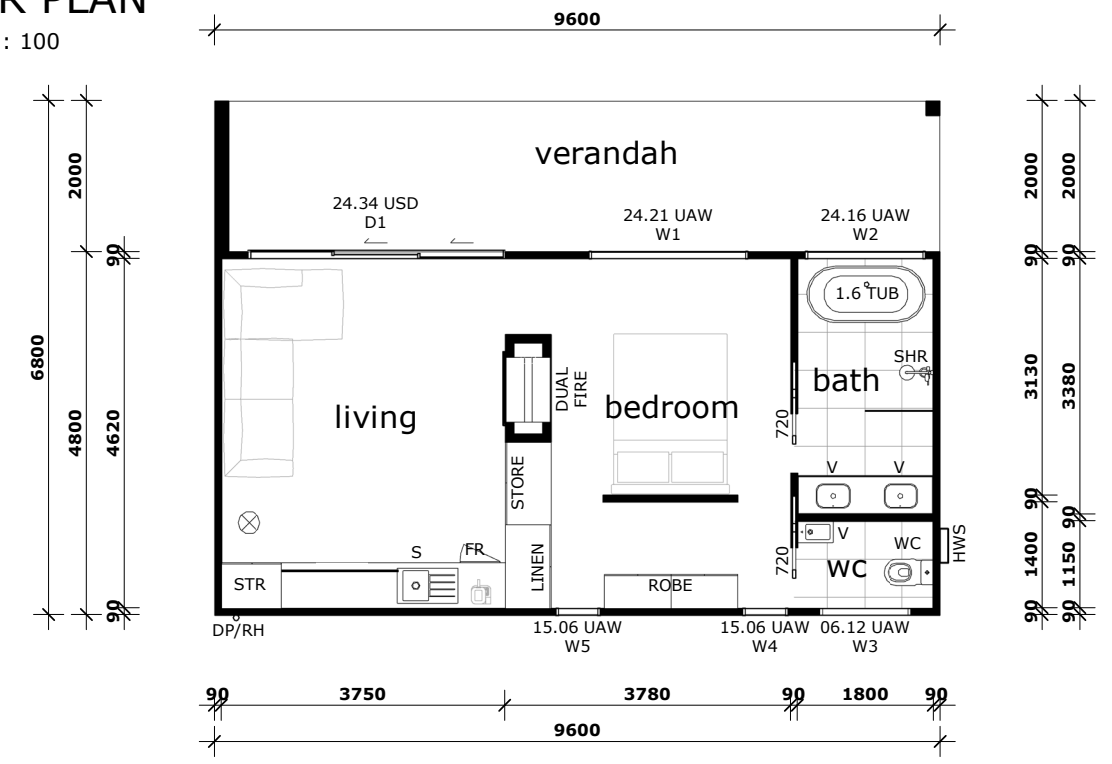
**This result is considered relevant at the date of assessment with respect to the elevations detailed on Site Plan dated 21/03/2024 and shall not be considered as SA CFS endorsement of any subsequent development.**

**OFFICER MAKING RECOMMENDATION**

**Name:** Doug Samardzija  
**Title:** Senior Statutory Planner



**FLOOR PLAN**  
SCALE: 1 : 100



**GENERAL BUILDING NOTES:**

- THIS ACCOMMODATION IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE BCA AND TO AUSTRALIAN STANDARDS
- WEATHERTEX WEATHERGROOVE NATURAL 150MM EXTERNAL CLADDING, FIXING BATTENS, AIRTIGHT WALL WRAP (FULLY TAPED AND SEALED), 90mm TIMBER STUD CONSTRUCTION, 10MM PLASTERBOARD INTERNALLY
- COLORBOND KLIPLOK SHEET ROOF AT 2° PITCH
- WAFFLE POD CONCRETE SLAB CONSTRUCTION AS PER ENGINEERS REPORT
- 2700H CEILING HEIGHT  
AIRTIGHT WRAP BETWEEN TRUSSES & PURLINS (FULLY TAPED AND SEALED)  
WATER RESISTANT BOARD TO OUTDOOR SOFFITS  
AIRTIGHT WRAP TO PARAPET AND EAVES/SOFFIT (FULLY TAPED AND SEALED)
- WRITTEN DIMENSIONS SHALL TAKE PREFERENCE OVER SCALE. CONTRACTORS / TRADES SHALL CHECK ALL INFORMATION / DOCUMENTATION IS CORRECT PRIOR TO COMMENCING WORK AND ORDERING OF MATERIALS. ALL INTERNAL DIMENSIONS SHOWN DENOTE TIMBER STUD FRAME TO TIMBER STUD FRAME DIMENSIONS. WHILST ACCURACY IS ENDEAVORED E DESIGN DO NOT TAKE ON THE RESPONSIBILITY OF THE BUILDER. IT IS THE BUILDER RESPONSIBILITY TO ENSURE INFORMATION IS CORRECT PRIOR TO ORDERING MATERIAL AND PRIOR TO CONSTRUCTION & ENGAGEMENT OF SUPPLIERS/CONTRACTORS
- NO VARIATION MAY BE MADE TO THIS DRAWING WITHOUT THE PRIOR APPROVAL OF THE BUILDER AND/OR DESIGNER
- STORMWATER TO CONNECT TO EXISTING RWT'S
- SEWER TO CONNECT TO EXISTING SEPTIC TANK
- WINDOW SIZES MAY CHANGE TO SUIT MANUFACTURERS SIZES
- TERMITE TREATMENTS INSTALLED TO MANUFACTURERS SPECS. SHALL COMPLY WITH AS3660.
- GLASS DOORS, SIDELIGHTS, GLAZING SCREENS, WINDOWS IN WET AREAS WILL BE OF SAFETY GLASS WHERE REQUIRED BY AS 1288 AND BCA. DRAFT PROTECTION DEVICE TO EXTERNAL SWING DOORS
- INTERNAL DOORS 2400mm HIGH UNLESS NOMINATED OTHERWISE & EXTERNAL DOORS AS NOMINATED
- ⊗ SELF CONTAINED SMOKE ALARM COMPLYING WITH AS3786-1993. INTERCONNECTED TO MAINS POWER WITH A 9V BATTERY BACKUP

AREAS	m <sup>2</sup>
LIVING	46.08
VERANDAH	19.20
<b>TOTAL</b>	<b>5.28</b>

**ENERGY RATING REQUIREMENTS**

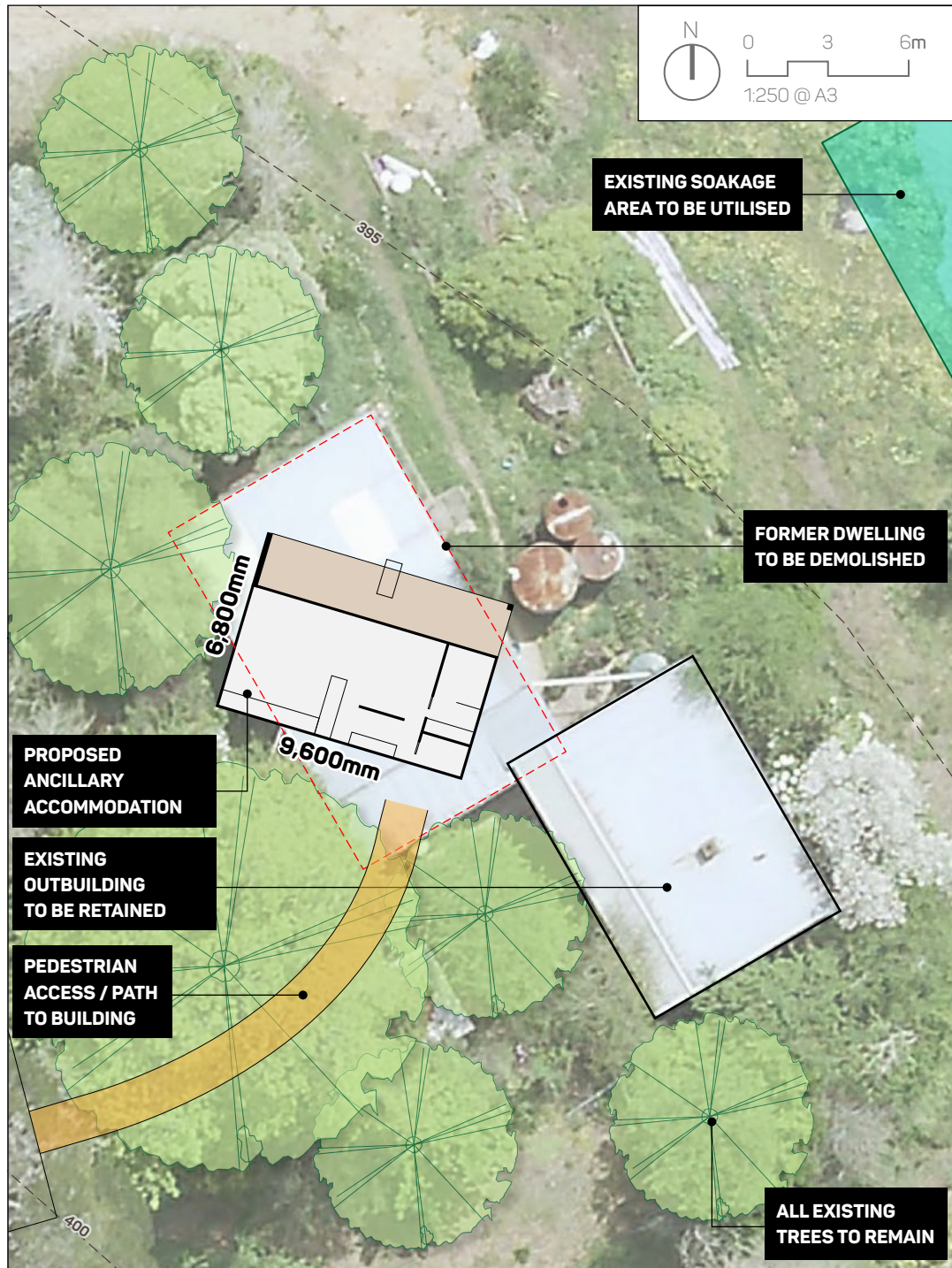
- (READ IN CONJUNCTION WITH ENERGY REPORT)
- R6.0 BULK CEILING INSULATION
  - R2.7 EXTERNAL WALL INSULATION
  - R2.0 INTERNAL WALL INSULATION
  - AIRTIGHT WRAP EXTERNALLY OF WALL STUDS, BETWEEN TRUSSES & PURLINS, EXTERNAL SIDE OF PARAPET & EAVES/SOFFIT
  - DOUBLE GLAZING AS SPECIFIED



ANCILLARY ACCOMMODATION  
**SITE & FLOOR PLANS**  
**RYAN & REBEKA PROBERT**  
**44 ORANA DRIVE, MYLOR**

DATE: 6.12.21 SCALE: As indicated SHEET: 1





**Asset Protection Zone Notes:**

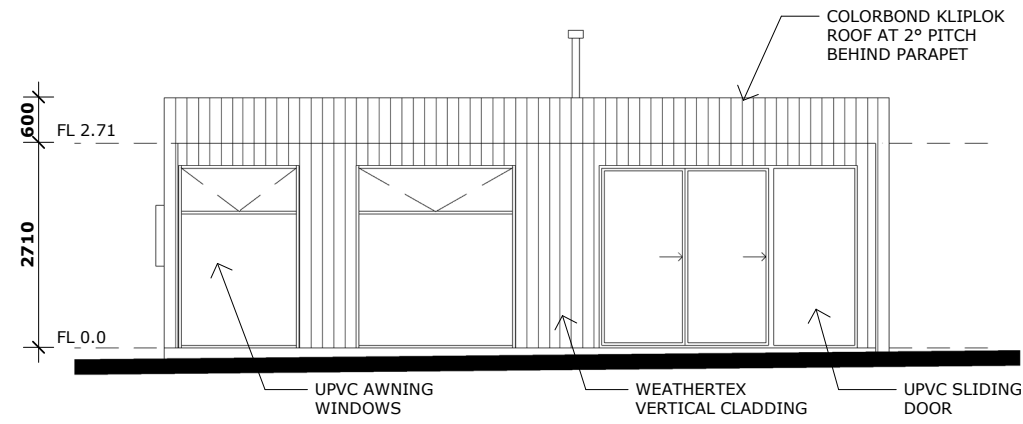
1. The number of trees and understorey plants existing and to be established within the APZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the clumping of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%';
2. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
3. Trees and shrubs not be planted closer to the building(s) than the distance equivalent to their mature height.
4. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
5. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height from the trees' lowest branches.
6. Grasses within the zone shall be reduced to a maximum height of 10cm during the fire danger season.
7. No understorey vegetation shall be established within 2m of the habitable building (understorey is defined as plants and bushes up to 2m in height).
8. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves.
9. The APZ shall be maintained to be free of accumulated dead vegetation.

**Site Plan**

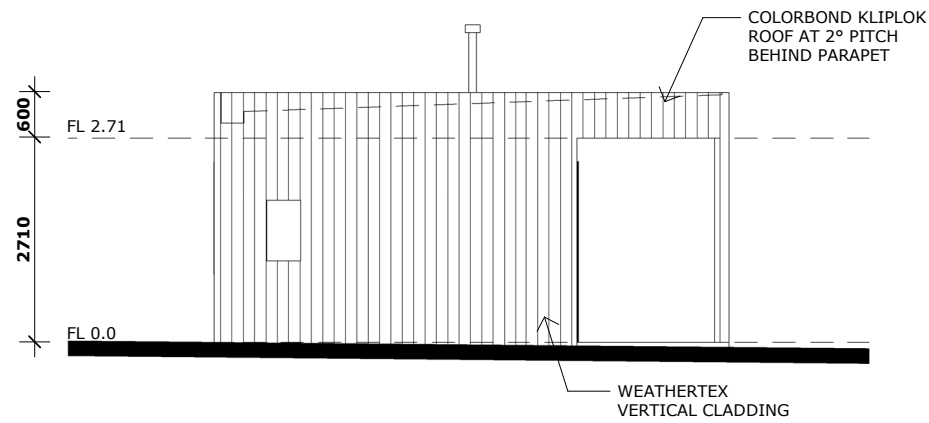
44 Orana Drive, Mylor



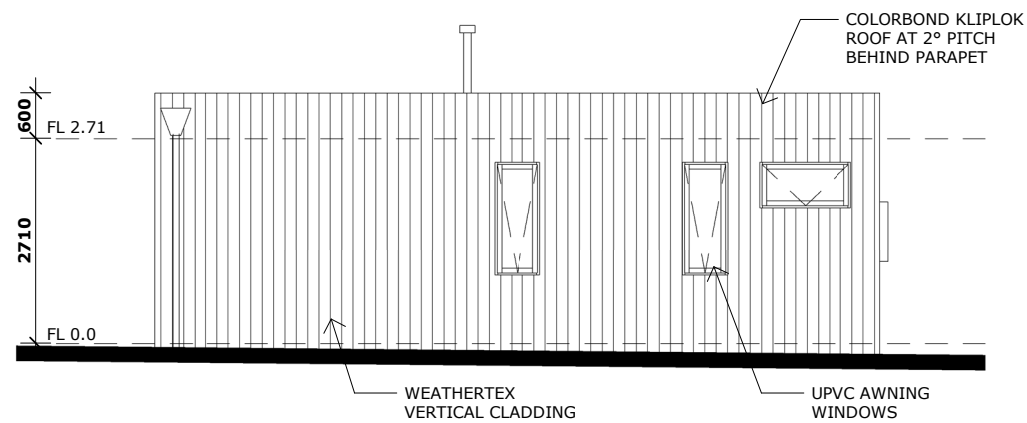




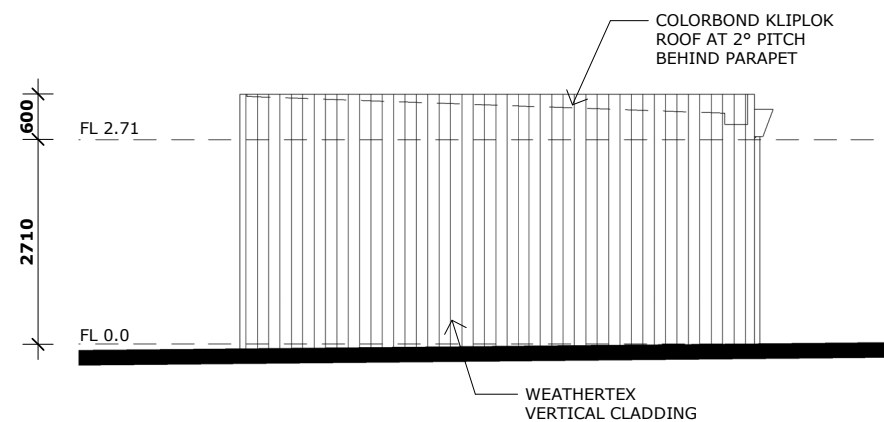
**NORTH ELEVATION**



**EAST ELEVATION**



**SOUTH ELEVATION**



**WEST ELEVATION**



WALLS -  
WEATHERTEX  
WEATHERGROOVE  
NATURAL



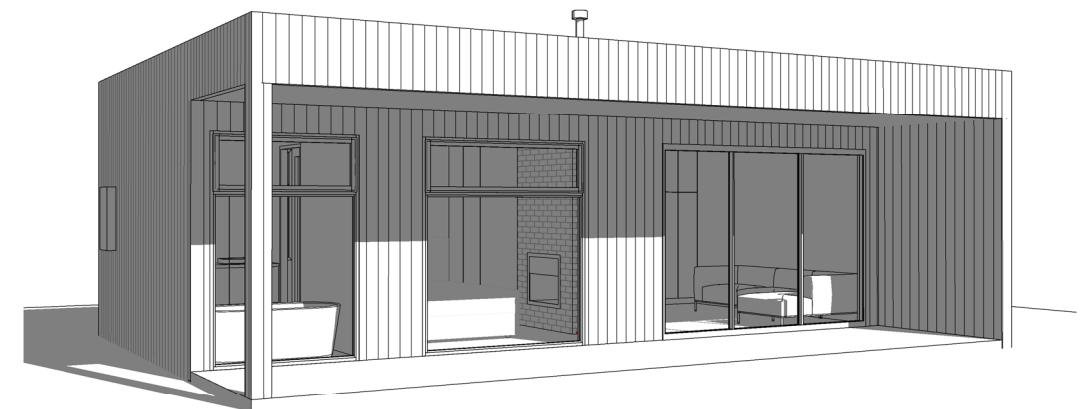
WINDOWS, DOORS,  
DOWNPIPES & SERVICES -  
COLORBOND 'MONUMENT'



FLOORS & EXPOSED EDGE -  
MILKY BURNISHED  
CONCRETE



ROOF -  
COLORBOND 'MONUMENT'



ANCILLARY ACCOMMODATION

**ELEVATIONS**  
**RYAN & REBEKA PROBERT**  
**44 ORANA DRIVE,**  
**MYLOR**

DATE: SCALE: 1 : 100 SHEET: 2

44 Orana Drive  
Mylor, SA 5153

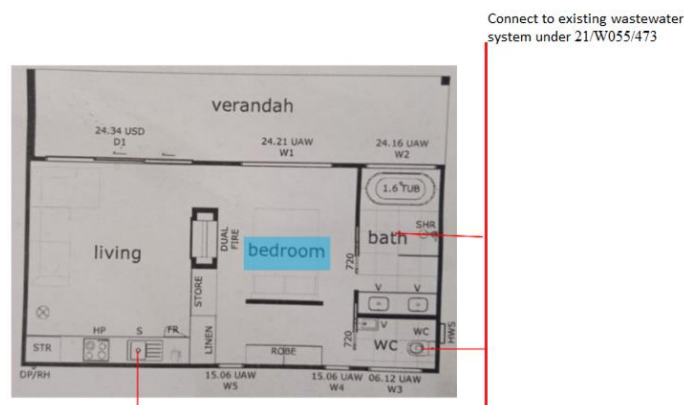
Hi Doug,

Please see responses below re: Required Information

1. Demonstrate that the waste control system has been approved. Separate request for a wastewater application will shortly be sent by Council's Health department. Wastewater for ancillary accommodation will need to connect into the same waste system of the dwelling.

Current approved system is under 21/W055/473 which is 8 pax only utilizing 6 pax, and further plumbing and variation notification has been sent to Alexis for the ancillary accommodation.

Plumbing Plan – Detached Area



2. Confirm that single water and electricity connection is going to be utilised for the dwelling and ancillary accommodation.

There is only meter onsite which is currently connected to all assets on site and continue this way. No separate meter installation is occurring on site.


There is no separate metering for water as only tank water onsite for all assets on the property, thus remaining single connection can only exist.

Please reach out if you need additional information.

Kind Regards,

Rebeka Probert



**Annotations**  
 Subject Land

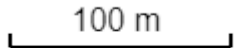
Planning

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Scale = 1:3432.240







**Productive Rural  
Landscape Zone**

**Recreation Zone**

RE

PRuL

**Township  
Zone**

T

**Conservation  
Zone**

Con

0m

# Referral Snapshot

**Development Application number:**

24011040

**Consent:**

Planning Consent

**Relevant authority:**

Adelaide Hills Council

**Consent type for distribution:**

**Referral body:**

South Australian Country Fire Service

**Response type:**

Schedule 9 (3)(2) Hazards (Bushfire - High Risk) Overlay

**Referral type:**

Direction

**Response date:**

26 Jun 2024

**Advice:**

With comments, conditions and/or notes

**Condition 1**

**SITING (ANCILLARY STRUCTURES)**

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 3.2) details the mandatory requirements for extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) in the event of bushfire.

- Outbuildings and other ancillary structures shall be sited no closer than 6m from the habitable building, unless built to relevant building

standards for associated structures in Bushfire Prone Areas. This includes future structures which may or may not require planning and/or building consent including (but not limited to) garden sheds, animal shelters and cubby houses.

## **Condition 2**

### **ACCESS TO HABITABLE BUILDING**

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 6.2) details the mandatory requirements for 'Private' roads and driveways to facilitate safe and effective use, operation and evacuation for firefighting and emergency personnel and evacuation of residents, occupants and visitors where required. These requirements apply when the furthest point of the building is more than 60m from the nearest public road.

- A clear and unobstructed vehicle or pedestrian pathway shall be provided; no greater than 60 metres in length between the most distant part of the habitable building and the nearest part of the formed public access way.

## **Condition 3**

### **WATER SUPPLY & ACCESS (to dedicated water supply)**

Ministerial Building Standard MBS008 "Designated bushfire prone areas - additional requirements" 2020, as published under the Planning, Development and Infrastructure Act 2016, provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with MBS008.

*Please note that where the water supply is an above-ground water tank, the tank (including any support structure) should be constructed of non-combustible material, such as concrete or metal.*

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 4.3) details the mandatory requirements for the site to provide a dedicated hardstand area in a location that allows fire fighting vehicles to safely access the dedicated water supply.

*Where a water storage facility is required to have a fire authority fitting, the following will apply:*

**SA CFS has no objection to the proposed location for the dedicated water supply as detailed on drawing named SITE PLAN dated at last revision 21/03/2024, providing the outlet is positioned to comply with the following conditions:**

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and is no greater than 60m path of travel to the

furthermost point of the building, to enable fire services to reach all parts of the building with no more than two lengths of hose from the hardstand area.

- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance's inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the above ground tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- The minimum water supply required may be combined with domestic use, providing the outlet for domestic use is located above the dedicated fire water supply (in order for it to remain as a dedicated supply).
- Where access to the habitable building is not required due to proximity to the public road, but the hardstand adjacent the outlet is located within the boundary of the allotment, the access to the outlet shall:
  1. be connected to a formed, all-weather public road; and
  2. have a gradient of not more than 16 degrees (1-in-3.5) at any point; and
  3. provide overhead clearance of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including building and/or structures; and
  4. the transition area between the road and the driveway shall have a gradient of not more than 7 degrees (1-in-8).

#### **Condition 4**

##### **MAINTAIN AN ASSET PROTECTION ZONE (APZ) - VEGETATION MANAGEMENT**

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 4.2) details the mandatory requirements to establish and maintain an asset protection zone. As such, landscaping shall include bushfire protection features that will prevent or inhibit the spread of bushfires and minimise the risk to life and/or damage to buildings and property and maintain a fuel reduced zone for safe movement of occupants and fire fighters.

**SA CFS has no objection to the location and extent of the asset protection zone as detailed on drawing named SITE PLAN dated at last revision 21/03/2024, providing it complies with the following conditions:**



- Vegetation management shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:
  1. The number of trees and understorey plants existing and to be established within the APZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
    2. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
    3. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
    4. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
    5. Shrubs must not be planted under trees or must be separated by at least 1.5 times their mature height from the trees' lowest branches.
    6. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
    7. No understorey vegetation shall be established within 2 metres of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
    8. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
    9. The APZ shall be maintained to be free of accumulated dead vegetation.

### **Advisory Note 1**

#### **BUILDING CONSIDERATIONS**

Ministerial Building Standard MBS008 "Designated bushfire prone areas - additional requirements" 2020, as published under the Planning, Development and Infrastructure Act 2016 applies to this site.

Please refer to the National Construction Code (NCC), relevant standards and state provisions for construction requirements and performance provisions.

A site Bushfire Attack Level (BAL) assessment was conducted in accordance with the NCC and Australian Standard™ 3959 (AS3959) "Construction of Buildings in Bushfire Prone Areas".

Category of Bushfire Attack Level: **BAL 19**

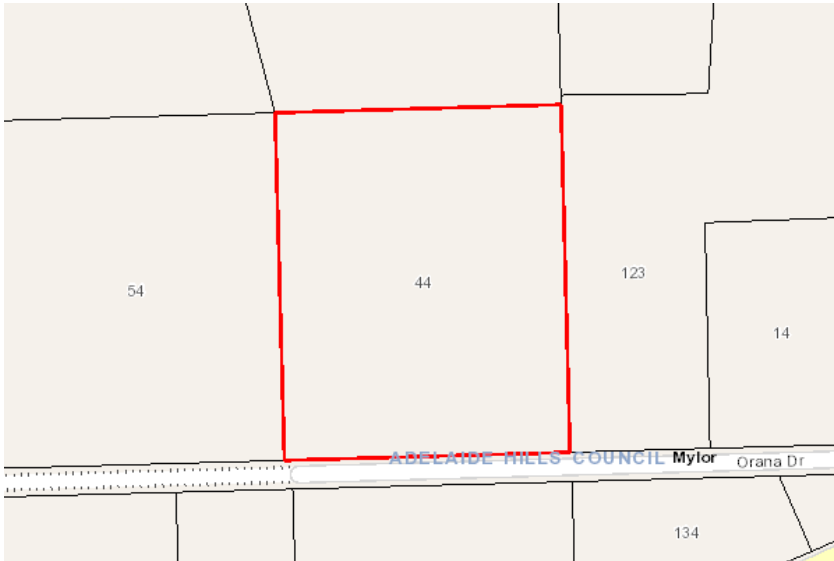
This BAL rating is conditional upon the establishment and maintenance of a 20 metre Asset Protection Zone, in accordance with the Asset Protection Zone – Vegetation Management condition of consent placed on the planning consent with the same application reference.



This result is considered relevant at the date of assessment with respect to the elevations detailed on Site Plan dated 21/03/2024 and shall not be considered as SA CFS endorsement of any subsequent development.

Address: 44 ORANA DR MYLOR SA 5153

To view a detailed interactive property map in SAPPA click on the map below



Property Zoning Details

Zone

Productive Rural Landscape

Overlay

- Environment and Food Production Area
- Hazards (Bushfire - High Risk)
- Hazards (Flooding - Evidence Required)
- Limited Land Division
- Mount Lofty Ranges Water Supply Catchment (Area 2)
- Native Vegetation
- Prescribed Water Resources Area
- Scenic Quality
- Water Resources

Selected Development(s)

Ancillary accommodation

This development may be subject to multiple assessment pathways. Please review the document below to determine which pathway may be applicable based on the proposed development compliances to standards. If no assessment pathway is shown this mean the proposed development will default to performance assessed. Please contact your local council in this instance. Refer to Part 1 - Rules of Interpretation - Determination of Classes of Development

Ancillary accommodation - Code Assessed - Performance Assessed

## Part 2 - Zones and Sub Zones

### Productive Rural Landscape Zone

## Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A diverse range of land uses at an appropriate scale and intensity that capitalise on the region's proximity to the metropolitan area and the tourist and lifestyle opportunities this presents while also conserving the natural and rural character, identity, biodiversity and sensitive environmental areas and scenic qualities of the landscape.
DO 2	A zone that promotes agriculture, horticulture, value adding opportunities, farm gate businesses, the sale and consumption of agricultural based products, tourist development and accommodation that expands the economic base and promotes its regional identity.
DO 3	Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts.

### Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

#### Interpretation

Notification tables exclude the classes of development listed in Column A from notification provided that they do not fall within a corresponding exclusion prescribed in Column B.

Where a development or an element of a development falls within more than one class of development listed in Column A, it will be excluded from notification if it is excluded (in its entirety) under any of those classes of development. It need not be excluded under all applicable classes of development.

Where a development involves multiple performance assessed elements, all performance assessed elements will require notification (regardless of whether one or more elements are excluded in the applicable notification table) unless every performance assessed element of the application is excluded in the applicable notification table, in which case the application will not require notification.

A relevant authority may determine that a variation to 1 or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> <li>(a) advertisement</li> <li>(b) agricultural building</li> <li>(c) air handling unit, air conditioning system or exhaust fan</li> <li>(d) ancillary accommodation</li> <li>(e) carport</li> <li>(f) deck</li> </ul>	None specified.

<ul style="list-style-type: none"> <li>(g) fence</li> <li>(h) dwelling</li> <li>(i) dwelling addition</li> <li>(j) farming</li> <li>(k) horse keeping</li> <li>(l) internal building work</li> <li>(m) land division</li> <li>(n) outbuilding</li> <li>(o) pergola</li> <li>(p) private bushfire shelter</li> <li>(q) protective tree netting structure</li> <li>(r) replacement building</li> <li>(s) retaining wall</li> <li>(t) solar photovoltaic panels (roof mounted)</li> <li>(u) shade sail</li> <li>(v) swimming pool or spa pool and associated swimming pool safety features</li> <li>(w) temporary accommodation in an area affected by bushfire</li> <li>(x) tree damaging activity</li> <li>(y) verandah</li> <li>(z) water tank.</li> </ul>	
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> <li>(a) industry</li> <li>(b) store</li> <li>(c) warehouse.</li> </ul>	<p>Except development that does not satisfy any of the following:</p> <ul style="list-style-type: none"> <li>1. Productive Rural Landscape Zone DTS/DPF 4.1</li> <li>2. Productive Rural Landscape Zone DTS/DPF 4.3.</li> </ul>
<p>4. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> <li>1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building)</li> <li>2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).</li> </ul>
<p>5. Function venue within The Cedars Subzone.</p>	<p>None specified.</p>
<p>6. Function venue.</p>	<p>Except function venue that does not satisfy Productive Rural Landscape Zone DTS/DPF 6.6.</p>
<p>7. Horticulture.</p>	<p>Except horticulture that does not satisfy any of the following:</p> <ul style="list-style-type: none"> <li>1. Productive Rural Landscape Zone DTS/DPF 3.1(d)</li> <li>2. Productive Rural Landscape Zone DTS/DPF 3.1(e).</li> </ul>
<p>8. Railway line.</p>	<p>Except where located outside of a rail corridor or rail reserve.</p>
<p>9. Shop within The Cedars Subzone.</p>	<p>None specified.</p>
<p>10. Shop.</p>	<p>Except shop that does not satisfy any of the following:</p> <ul style="list-style-type: none"> <li>1. Productive Rural Landscape Zone DTS/DPF 6.1</li> <li>2. Productive Rural Landscape Zone DTS/DPF 6.2.</li> </ul>

11. Tourist accommodation within The Cedars Subzone.	None specified.
12. Tourist accommodation.	Except tourist accommodation that does not to satisfy any of the following: <ul style="list-style-type: none"> <li>1. Productive Rural Landscape Zone DTS/DPF 6.3</li> <li>2. Productive Rural Landscape Zone DTS/DPF 6.4.</li> </ul>

#### Placement of Notices - Exemptions for Performance Assessed Development

Pursuant to regulation 47(6)(c) of the Planning, Development and Infrastructure (General) Regulations 2017, the requirement to place a notice on the relevant land under section 107(3)(a)(ii) of the *Planning, Development and Infrastructure Act 2016* does not apply in the Productive Rural Landscape Zone.

#### Placement of Notices - Exemptions for Restricted Development

Pursuant to regulation 47(6)(c) of the Planning, Development and Infrastructure (General) Regulations 2017, the requirement to place a notice on the relevant land under section 110(2)(a)(iv) of the *Planning, Development and Infrastructure Act 2016* does not apply in the Productive Rural Landscape Zone.

## Part 3 - Overlays

### Hazards (Bushfire - High Risk) Overlay

#### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development, including land division is sited and designed to minimise the threat and impact of bushfires on life and property with regard to the following risks: <ul style="list-style-type: none"> <li>(a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change</li> <li>(b) high levels and exposure to ember attack</li> <li>(c) impact from burning debris</li> <li>(d) radiant heat</li> <li>(e) likelihood and direct exposure to flames from a fire front.</li> </ul>
DO 2	Activities that increase the number of people living and working in the area or where evacuation would be difficult is sited away from areas of unacceptable bushfire risk.
DO 3	To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use	
PO 1.1 Development that significantly increases the potential for fire outbreak as a result of the spontaneous combustion of materials, spark generation or through the magnification and	DTS/DPF 1.1 None are applicable.

reflection of light is not located in areas of unacceptable bushfire risk.	
Siting	
PO 2.1 Buildings and structures are located away from areas that pose an unacceptable bushfire risk as a result of vegetation cover and type, and terrain.	DTS/DPF 2.1 None are applicable.
Built Form	
PO 3.1 Buildings and structures are designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against or underneath the building or structure, or between the ground and building floor level in the case of transportable buildings and buildings on stilts.	DTS/DPF 3.1 None are applicable.
PO 3.2 Extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and Workers' accommodation) in the event of bushfire.	DTS/DPF 3.2 Outbuildings and other ancillary structures are sited no closer than 6m from the habitable building.
Habitable Buildings	
PO 4.1 To minimise the threat, impact and potential exposure to bushfires on life and property, residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) is sited on the flatter portion of allotments away from steep slopes.	DTS/DPF 4.1 None are applicable.
PO 4.2 Residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) is sited away from vegetated areas that pose an unacceptable bushfire risk.	DTS/DPF 4.2 Residential and tourist accommodation and habitable buildings for vulnerable communities are provided with asset protection zone(s) in accordance with (a) and (b):  (a) the asset protection zone has a minimum width of at least: (i) 50 metres to unmanaged grasslands (ii) 100 metres to hazardous bushland vegetation  (b) the asset protection zone is contained wholly within the allotment of the development.
PO 4.3 Residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) has a dedicated area available that:	DTS/DPF 4.3 None are applicable.

<p>(a) is capable of accommodating a bushfire protection system comprising firefighting equipment and water supply in accordance with <i>Ministerial Building Standard MBS 008 - Designated bushfire prone areas - additional requirements</i></p> <p>(b) includes the provision of an all-weather hardstand area in a location that:</p> <ul style="list-style-type: none"> <li>(i) allows fire-fighting vehicles to safely access the dedicated water supply and exit the site in a forward direction</li> <li>(ii) is no further than 6 metres from the dedicated water supply outlet(s) where required.</li> </ul>	
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**Vehicle Access –Roads, Driveways and Fire Tracks**

<p>PO 6.1</p> <p>Roads are designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> <li>(a) access, operation and evacuation of fire-fighting vehicles and emergency personnel</li> <li>(b) evacuation of residents, occupants and visitors.</li> </ul>	<p>DTS/DPF 6.1</p> <p>Roads:</p> <ul style="list-style-type: none"> <li>(a) are constructed with a formed, all-weather surface</li> <li>(b) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the road</li> <li>(c) have a cross fall of not more than 6 degrees (1-in-9.5) at any point along the road</li> <li>(d) have a minimum formed road width of 6m</li> <li>(e) provide overhead clearance of not less than 4.0m between the road surface and overhanging branches or other obstructions including buildings and/or structures (Figure 1)</li> <li>(f) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around road curves by constructing the curves with a minimum external radius of 12.5m (Figure 2)</li> <li>(g) incorporating cul-de-sac endings or dead end roads are provided within an alternative evacuation route and do not exceed 200m in length and the end of the road has either:             <ul style="list-style-type: none"> <li>(i) a turning area with a minimum formed surface radius of 12.5m (Figure 3) or</li> <li>(ii) a 'T' or 'Y' shaped turning area with a minimum formed surface length of 11m and minimum internal radii of 9.5m (Figure 4)</li> </ul> </li> <li>(h) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.</li> </ul>
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<p>PO 6.2</p> <p>Access to habitable buildings is designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> <li>(a) use, operation and evacuation of fire-fighting and emergency personnel</li> <li>(b) evacuation of residents, occupants and visitors.</li> </ul>	<p>DTS/DPF 6.2</p> <p>Access is in accordance with (a) or (b):</p> <ul style="list-style-type: none"> <li>(a) a clear and unobstructed vehicle or pedestrian pathway of not greater than 60 metres in length is available between the most distant part of the habitable building and the nearest part of a formed public access road</li> <li>(b) driveways:             <ul style="list-style-type: none"> <li>(i) do not exceed 600m in length</li> <li>(ii) are constructed with a formed, all-weather surface</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>(iii) are connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8)</li> <li>(iv) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway</li> <li>(v) have a crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway</li> <li>(vi) have a minimum formed width of 3m (4m where the gradient of the driveway is steeper than 12 degrees (1-in-4.5)) plus 0.5 metres clearance either side of the driveway from overhanging branches or other obstructions, including buildings and/or structures (Figure 1)</li> <li>(vii) incorporate passing bays with a minimum width of 6m and length of 17m every 200m (Figure 5)</li> <li>(viii) provide overhead clearance of not less than 4.0m between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures (Figure 1)</li> <li>(ix) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around driveway curves by constructing the curves with a minimum external radius of 12.5m (Figure 2)</li> <li>(x) allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by using a 'U' shaped drive through design or by incorporating at the end of the driveway either:             <ul style="list-style-type: none"> <li>A. a loop road around the building or</li> <li>B. a turning area with a minimum radius of 12.5m (Figure 3) or</li> <li>C. a 'T' or 'Y' shaped turning area with a minimum formed length of 11m and minimum internal radii of 9.5m (Figure 4)</li> </ul> </li> <li>(xi) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.</li> </ul>
<p>PO 6.3 Development does not rely on fire tracks as means of evacuation or access for fire-fighting purposes unless there are no safe alternatives available.</p>	<p>DTS/DPF 6.3 None are applicable.</p>

**Procedural Matters (PM) - Referrals**

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

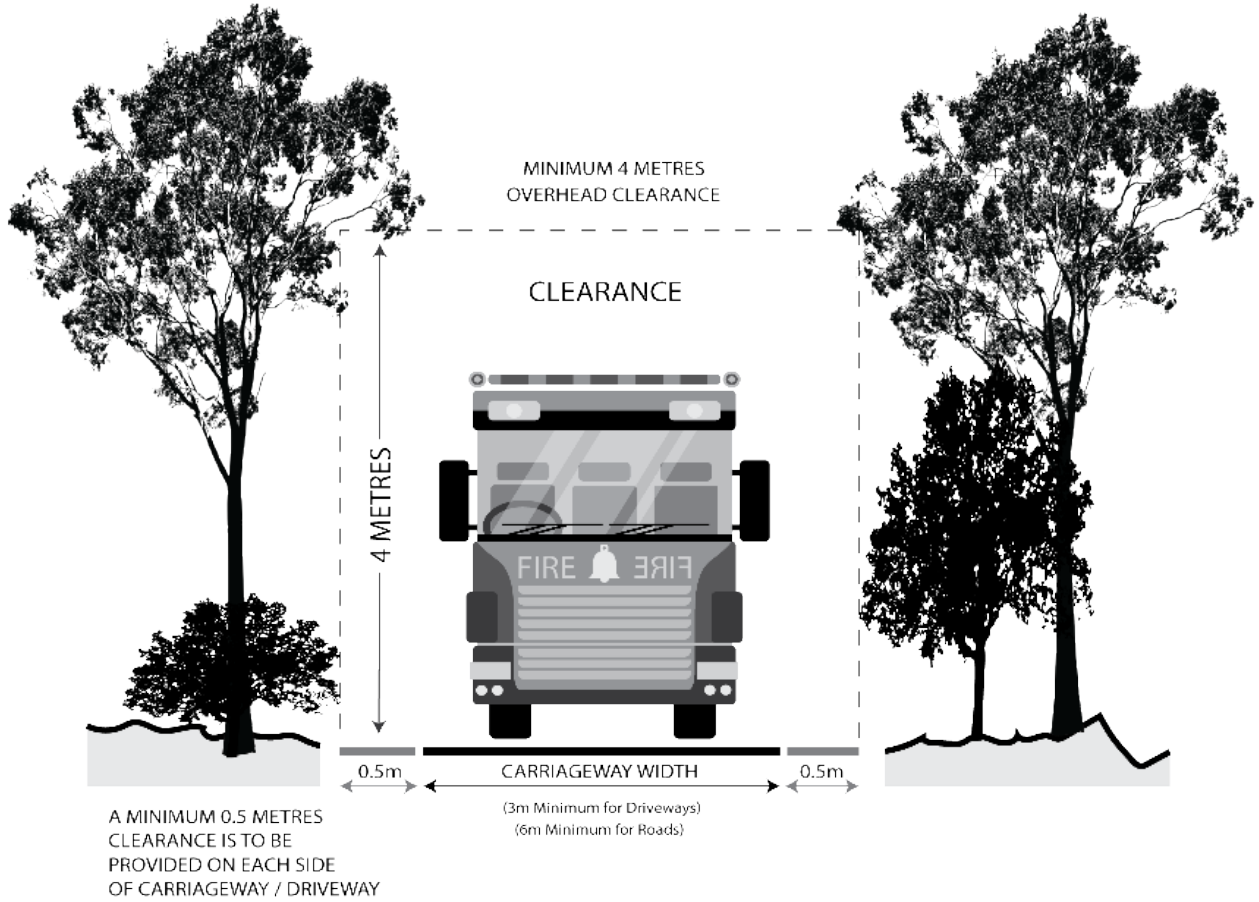
Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
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<p>Except if a <b>relevant certificate</b> accompanies the application for planning consent in respect of the development, any of the following classes of development (including alterations and additions which increase the floor area of such buildings by 10% or more):</p> <ul style="list-style-type: none"> <li>(a) land division creating one or more additional allotments</li> <li>(b) dwelling</li> <li>(c) ancillary accommodation</li> <li>(d) residential flat building</li> <li>(e) tourist accommodation</li> <li>(f) boarding home</li> <li>(g) dormitory style accommodation</li> <li>(h) workers' accommodation</li> <li>(i) student accommodation</li> <li>(j) child care facility</li> <li>(k) educational facility</li> <li>(l) retirement village</li> <li>(m) supported accommodation</li> <li>(n) residential park</li> <li>(o) hospital</li> <li>(p) camp ground.</li> </ul>	<p>South Australian Country Fire Service.</p>	<p>To provide expert assessment and direction to the relevant authority on the potential impacts of bushfire on the development.</p>	<p>Development of a class to which Schedule 9 clause 3 item 2 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>
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**Figures and Diagrams**

<p><b>Fire Appliance Clearances</b></p>
<p>Figure 1 - Overhead and Side Clearances</p>



### Roads and Driveway Design

Figure 2 - Road and Driveway Curves

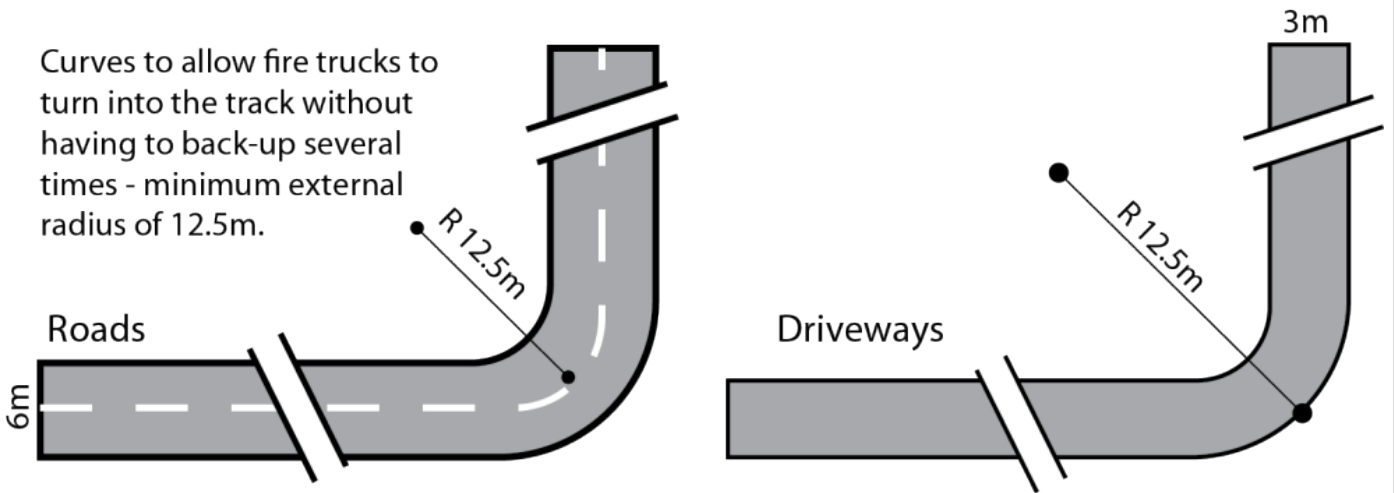


Figure 3 - Full Circle Turning Area

Fire truck turning area -  
minimum radius 12.5m

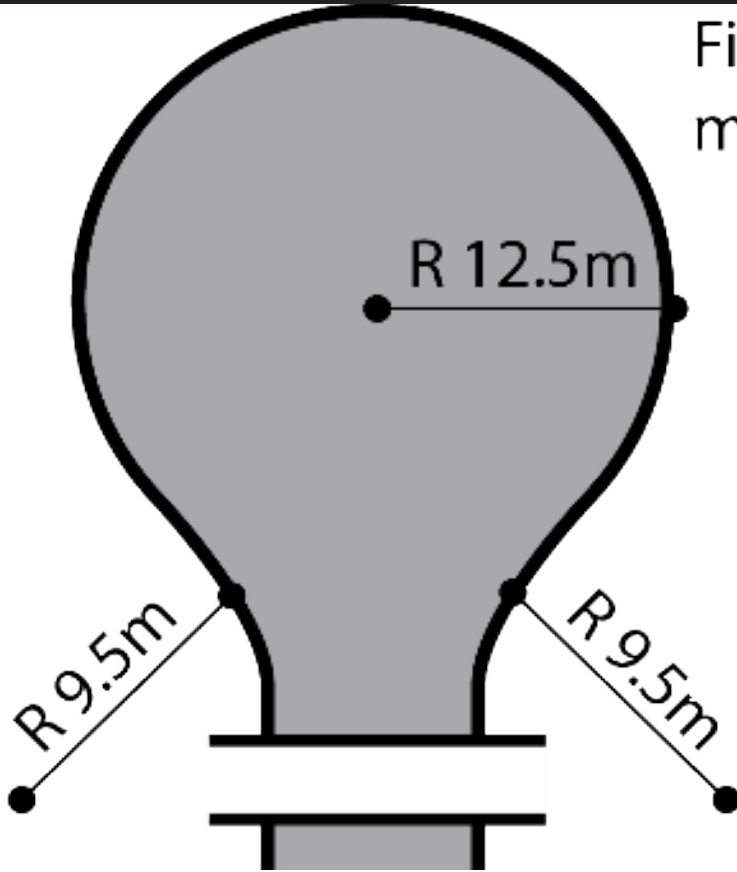
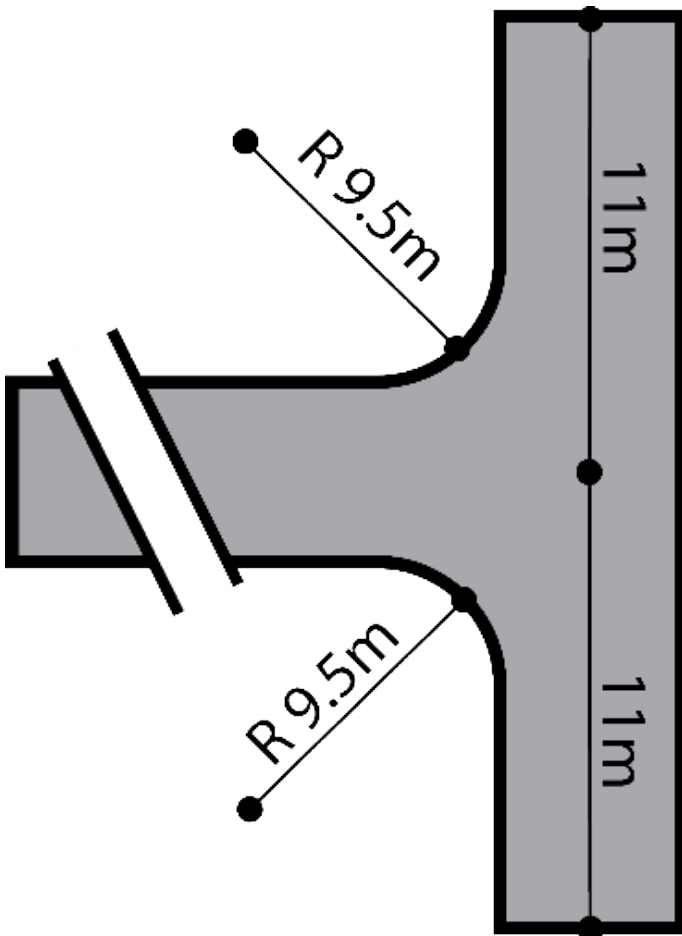


Figure 4 - 'T' or 'Y' Shaped Turning Head



"T" shaped turning area  
for fire trucks to reverse  
into so they can turn  
around  
- minimum length 11 m.

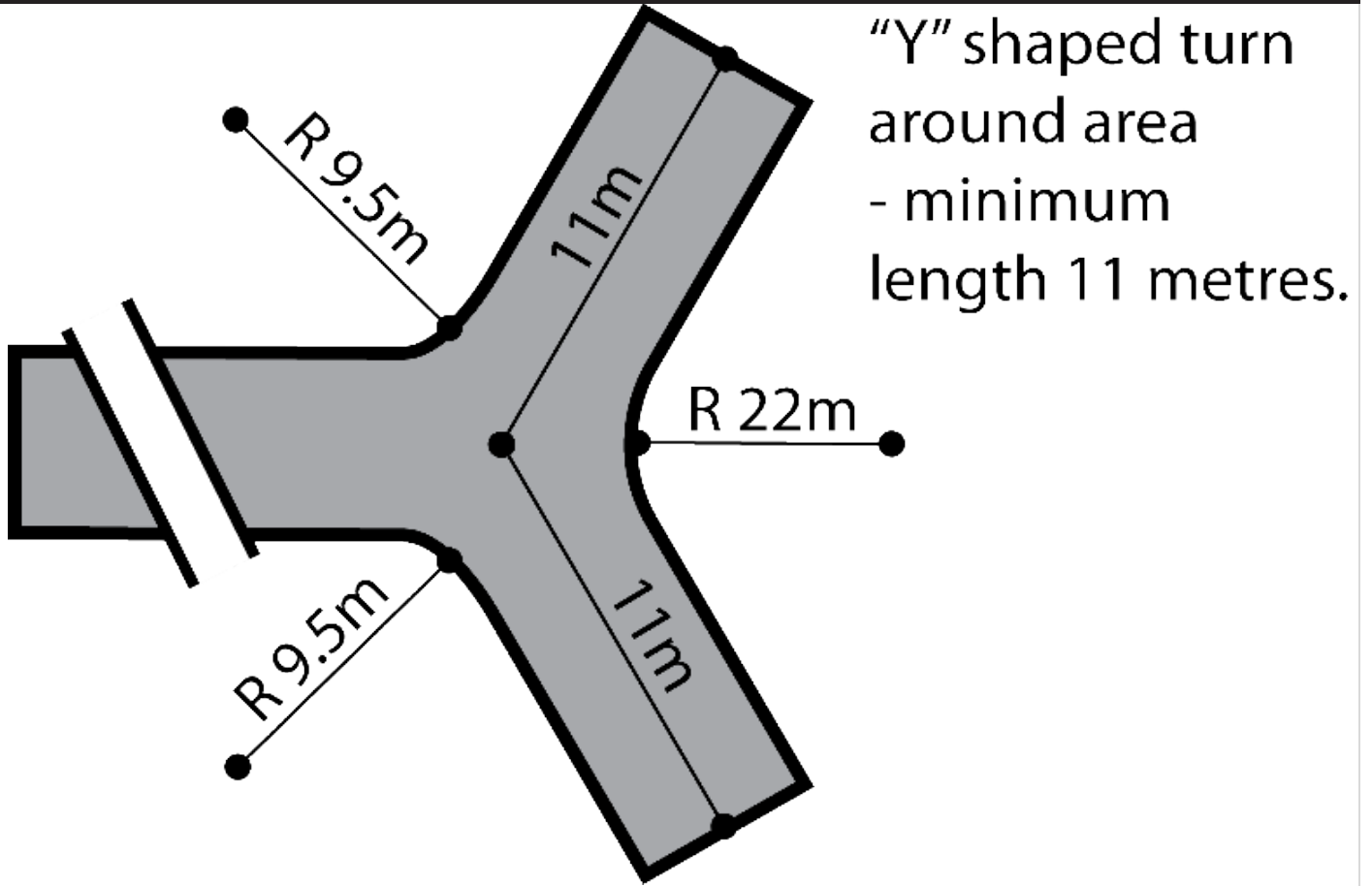
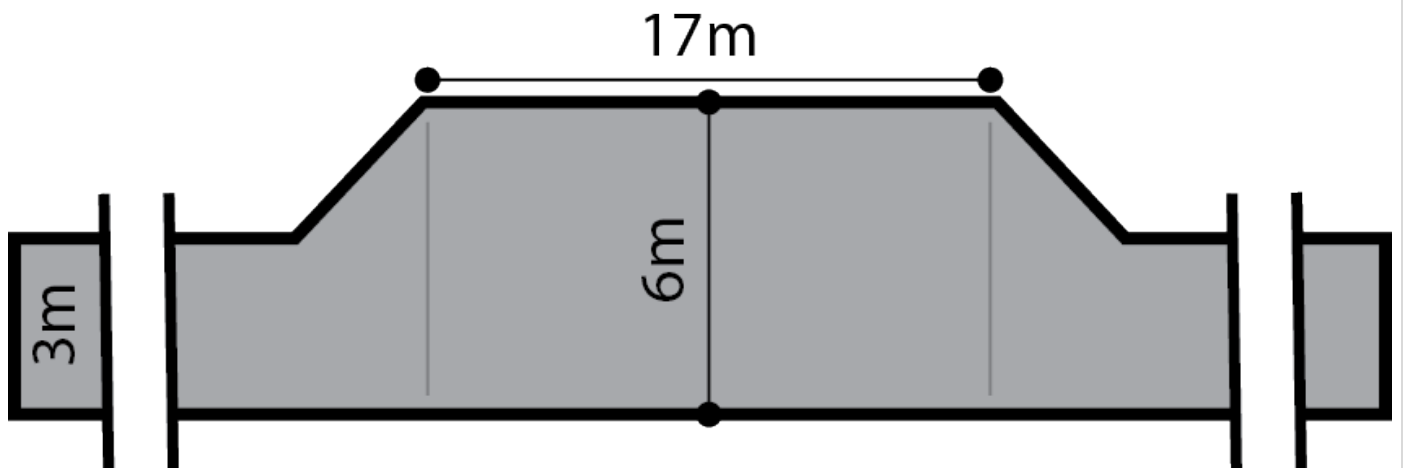


Figure 5 - Driveway Passing Bays

Passing bay for fire trucks - minimum width 6 metres, minimum length 17 metres.



Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: <ul style="list-style-type: none"> <li>(a) the highest point of top of kerb of the primary street or</li> <li>(b) the highest point of natural ground level at the primary street boundary where there is no kerb</li> </ul>

### Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

## Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Safeguard Greater Adelaide's public water supply by ensuring development has a neutral or beneficial effect on the quality of water harvested from secondary reservoirs or diversion weir catchments from the Mount Lofty Ranges.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Quality	
PO 1.1 Development results in a neutral or beneficial effect on the quality of water draining from the site to maintain and enhance the role of the catchment as a water supply.	DTS/DPF 1.1 None are applicable.
Wastewater	

<p>PO 2.1</p> <p>Development that generates human wastewater, including alterations and additions, are established at an intensity and in a manner to minimise potential adverse impact on water quality within secondary reservoir and weir catchment areas.</p>	<p>DTS/DPF 2.1</p> <p>Development including alterations and additions, in combination with existing built form and activities within an allotment:</p> <ul style="list-style-type: none"> <li>(a) do not generate a combined total of more than 1500 litres of wastewater per day and</li> <li>(b) will be connected to the same on-site wastewater system that is compliant with relevant South Australian standards</li> </ul> <p>or is otherwise connected to a sewer or community wastewater management system.</p>
<p>PO 2.4</p> <p>Wastewater management systems result in a neutral or beneficial effect on the quality of water draining from the site.</p>	<p>DTS/DPF 2.4</p> <p>Development results in:</p> <ul style="list-style-type: none"> <li>(a) a building or land use that is currently connected to an existing on-site wastewater system that is non-compliant with relevant South Australian standards being connected to a new or upgraded system that complies with such standards</li> <li>or</li> <li>(b) an existing on-site wastewater system being decommissioned and wastewater being disposed of to a sewer or community wastewater management system that complies with relevant South Australian standards.</li> </ul>
<p>PO 2.5</p> <p>Surface and groundwater protected from wastewater discharge pollution.</p>	<p>DTS/DPF 2.5</p> <p>All components of an effluent disposal area are:</p> <ul style="list-style-type: none"> <li>(a) setback 50 metres or more from a watercourse</li> <li>(b) setback 100 metres or more from a public water supply reservoir</li> <li>(c) located on land with a slope no greater than 1-in-5 (20%)</li> <li>(d) located on land with 1.2m or more depth to bedrock or a seasonal or permanent water table</li> <li>(e) above the 10% AEP flood level.</li> </ul>
<p>Stormwater</p>	
<p>PO 3.1</p> <p>Post-development peak stormwater discharge quantities and rates do not exceed pre-development quantities and rates to maintain water quality leaving the site.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Stormwater run-off from areas not likely to be subject to pollution diverted away from areas that could cause pollution.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
<p>PO 3.3</p> <p>Polluted stormwater is treated prior to discharge from the site.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p> <p>Stormwater from carports, verandahs, outbuildings and</p>	<p>DTS/DPF 3.4</p> <p>Development includes:</p>

agricultural buildings captured to protect water quality.	<ul style="list-style-type: none"> <li>(a) rainwater tanks with a minimum capacity of 1,000L connected to carports, verandahs and outbuildings or</li> <li>(b) rainwater tanks with a minimum capacity of 4,500L connected to agricultural buildings exceeding 100m<sup>2</sup>.</li> </ul>
<p>PO 3.9</p> <p>Stormwater from excavated and filled areas is managed to protect water quality.</p>	<p>DTS/DPF 3.9</p> <p>Excavation and/or filling satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) is located 50m or more from watercourses</li> <li>(b) is located 100m or more from public water supply reservoirs and diversion weirs</li> <li>(c) does not involve excavation exceeding a vertical height of 0.75m</li> <li>(d) does not involve filling exceeding a vertical height of 0.75m</li> <li>(e) does not involve a total combined excavation and filling vertical height of 1.5m.</li> </ul>
<b>Landscapes and Natural Features</b>	
<p>PO 4.1</p> <p>Development minimises the need to modify landscapes and natural features.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>

## Procedural Matters (PM)

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Any of the following classes of development that are not connected (or not proposed to be connected) to a community wastewater management system or sewerage infrastructure:</p> <ul style="list-style-type: none"> <li>(a) land division creating one or more additional allotments, either partly or wholly within the area of the overlay</li> <li>(b) function venue with more than 75 seats for customer dining purposes</li> <li>(c) restaurant with more than 40 seats for customer dining purposes</li> <li>(d) restaurant with more than 30 seats for customer dining purposes in association with a cellar door</li> </ul>	Environment Protection Authority.	To provide expert technical assessment and direction to the relevant authority on whether a proposed development will have a neutral or beneficial impact on water quality.	Development of a class to which Schedule 9 clause 3 item 9 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

<p>(e) dwelling where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned</p> <p>(f) tourist accommodation where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a habitable dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned</p> <p>(g) workers' accommodation where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a habitable dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned</p> <p>(h) any other development that generates human wastewater from a peak loading capacity of more than 40 persons (or more than 6,000 litres/day)</p>			
<p>Composting works (excluding a prescribed approved activity) - being a depot, facility or works with the capacity to treat, during a 12 month period more than 200 tonnes of organic waste or matter (EPA Licence)</p>			
<p>Wastewater treatment works - being sewage treatment works, a community wastewater management system, winery wastewater treatment works or any other wastewater treatment works with the capacity to treat, during a 12 month period more than 2.5 ML of</p>			



wastewater (EPA Licence required at more than 5ML)			
Feedlots - being carrying on an operation for holding in confined yard or area and feeding principally by mechanical means or by hand not less than an average of 200 cattle (EPA Licence) or 1,600 sheep or goats per day over any period of 12 months, but excluding any such operation carried on at an abattoir, slaughterhouse or saleyard or for the purpose only of drought or other emergency feeding			
Piggeries - being the conduct of a piggery (being premises having confined or roofed structures for keeping pigs) with a capacity of 130 or more standard pig units (EPA Licence required at 650 or more standard pig units)			
Dairies - carrying on of a dairy with a total processing capacity exceeding 100 milking animals at any one time.			

## Native Vegetation Overlay

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.	DTS/DPF 1.1 An application is accompanied by: <ul style="list-style-type: none"> <li>(a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur:                             <ul style="list-style-type: none"> <li>(i) in connection with a relevant access point and / or driveway</li> <li>(ii) within 10m of a building (other than a residential building or tourist accommodation)</li> <li>(iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control</li> </ul> </li> </ul>

	<p>(iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area</p> <p>or</p> <p>(b) a report prepared in accordance with Regulation 18(2) (a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.</p>
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</p> <p>(a) significant wildlife habitat and movement corridors</p> <p>(b) rare, vulnerable or endangered plants species</p> <p>(c) native vegetation that is significant because it is located in an area which has been extensively cleared</p> <p>(d) native vegetation that is growing in, or in association with, a wetland environment.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>

### Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that is the subject of a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.	Native Vegetation Council	To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.	Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

## Scenic Quality Overlay

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development complements natural and rural character, and areas of scenic value.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<b>Land Use and Intensity</b>	
PO 1.1 Land uses that complement and enhance the natural and rural character.	DTS/DPF 1.1 None are applicable.
<b>Built Form and Character</b>	
PO 2.1 Development is carefully sited and designed to:  (a) complement rural or natural character (b) minimise disruption to natural landform (c) integrate existing natural environmental features (d) minimise impacts on scenic features (e) be low-scale (f) be visually unobtrusive and blend in with the surrounding area	DTS/DPF 2.1 None are applicable.
<b>Landscaping</b>	
PO 3.1 Landscaping comprises locally indigenous species to enhance landscape quality and habitat restoration.	DTS/DPF 3.1 Landscaping plantings exclusively constitute locally indigenous plant species.
<b>Earthworks</b>	
PO 4.1 Excavation and filling of land is limited to that required to reduce the visual prominence of buildings and make provision for water storage facilities to maintain natural landforms and landscapes.	DTS/DPF 4.1 Excavation and/or filling is associated with a building or water storage facility and satisfies all of the following:  (a) does not involve excavation exceeding a vertical height of 750mm (b) does not involve filling exceeding a vertical height of 750mm (c) does not involve a total combined excavation and filling vertical height of 1.5m (d) any scree slope is covered in topsoil and landscaped.

### Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

# Water Resources Overlay

## Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.
DO 2	Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Catchment	
PO 1.1 Watercourses and their beds, banks, wetlands and floodplains (1% AEP flood extent) are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development avoids interfering with the existing hydrology or water regime of swamps and wetlands other than to improve the existing conditions to enhance environmental values.	DTS/DPF 1.2 None are applicable.
PO 1.5 Development that increases surface water run-off includes a suitably sized strip of vegetated land on each side of a watercourse to filter runoff to: <ul style="list-style-type: none"> <li>(a) reduce the impacts on native aquatic ecosystems</li> <li>(b) minimise soil loss eroding into the watercourse.</li> </ul>	DTS/DPF 1.5 A strip of land 20m or more wide measured from the top of existing banks on each side of the watercourse is free from development, livestock use and revegetated with locally indigenous vegetation.
PO 1.6 Development resulting in the depositing or placing of an object or solid material in a watercourse or lake occurs only where it involves any of the following: <ul style="list-style-type: none"> <li>(a) the construction of an erosion control structure</li> <li>(b) devices or structures used to extract or regulate water flowing in a watercourse</li> <li>(c) devices used for scientific purposes</li> <li>(d) the rehabilitation of watercourses.</li> </ul>	DTS/DPF 1.6 None are applicable.
PO 1.7 Watercourses, floodplains (1% AEP flood extent) and wetlands protected and enhanced by retaining and protecting existing native vegetation.	DTS/DPF 1.7 None are applicable.

PO 1.8 Watercourses, floodplains (1% AEP flood extent) and wetlands are protected and enhanced by stabilising watercourse banks and reducing sediments and nutrients entering the watercourse.	DTS/DPF 1.8 None are applicable.
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### Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

## Part 4 - General Development Policies

### Clearance from Overhead Powerlines

#### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied:  (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>  (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

### Design

#### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> <li>(a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area</li> <li>(b) durable - fit for purpose, adaptable and long lasting</li> <li>(c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors</li> <li>(d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.</li> </ul>

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
Earthworks and sloping land	
<p>PO 8.1</p> <p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 8.1</p> <p>Development does not involve any of the following:</p> <ul style="list-style-type: none"> <li>(a) excavation exceeding a vertical height of 1m</li> <li>(b) filling exceeding a vertical height of 1m</li> <li>(c) a total combined excavation and filling vertical height of 2m or more.</li> </ul>
<p>PO 8.4</p> <p>Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on-site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>
All Residential development	
Ancillary Development	
<p>PO 13.1</p> <p>Residential ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 13.1</p> <p>Ancillary buildings:</p> <ul style="list-style-type: none"> <li>(a) are ancillary to a dwelling erected on the same site</li> <li>(b) have a floor area not exceeding 60m<sup>2</sup></li> <li>(c) are not constructed, added to or altered so that any part is situated:                             <ul style="list-style-type: none"> <li>(i) in front of any part of the building line of the dwelling to which it is ancillary</li> <li>or</li> <li>(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</li> </ul> </li> <li>(d) in the case of a garage or carport, the garage or carport:                             <ul style="list-style-type: none"> <li>(i) is set back at least 5.5m from the boundary of the primary street</li> </ul> </li> </ul>



- (ii) when facing a primary street or secondary street, has a total door / opening not exceeding:
  - A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser
  - B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width
  
- (e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless:
  - (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and
  - (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent
  
- (f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary
- (g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure
- (h) have a wall height or post height not exceeding 3m above natural ground level (and not including a gable end)
- (i) have a roof height where no part of the roof is more than 5m above the natural ground level
- (j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour
- (k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:
  - (i) a total area as determined by the following table:

Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site
<150	10%
150-200	15%
201-450	20%
>450	25%

- (ii) the amount of existing soft landscaping prior to the development occurring.

	(l) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.
PO 13.2 Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision or car parking requirements and do not result in over-development of the site.	DTS/DPF 13.2 Ancillary buildings and structures do not result in: (a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space (b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.

## Infrastructure and Renewable Energy Facilities

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Wastewater Services	
PO 12.2 Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.	DTS/DPF 12.2 Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.

## Transport, Access and Parking

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
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Corner Cut-Offs

PO 10.1

Development is located and designed to ensure drivers can safely turn into and out of public road junctions.

DTS/DPF 10.1

Development does not involve building work, or building work is located wholly outside the land shown as Corner Cut-Off Area in the following diagram:

